

E2SHB 1359 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/12/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
4 large, unmet need for affordable housing in the state of Washington.
5 The legislature declares that a decent, appropriate, and affordable
6 home in a healthy, safe environment for every household should be a
7 state goal. Furthermore, this goal includes increasing the percentage
8 of households who are able to obtain and retain housing without
9 government subsidies or other public support.

10 (2) The legislature finds that there are many root causes of the
11 affordable housing shortage and declares that these causal factors
12 should be eliminated.

13 (3) The legislature finds that the support and commitment of all
14 sectors of the statewide community is critical to accomplishing the
15 state's affordable housing for all goal. The legislature finds that
16 the provision of housing and housing-related services should be
17 administered at the local level. However, the state should play a
18 primary role in: Providing financial resources to achieve the goal at
19 all levels of government; researching and evaluating statewide housing
20 data; developing a state plan that integrates the strategies, goals,
21 and objectives of all other state housing plans and programs; and
22 coordinating and supporting county government plans and activities.

23 (4) The legislature declares that there is a state affordable
24 housing goal of a decent, appropriate, and affordable home in a
25 healthy, safe environment for every household in the state by 2020, as
26 part of the statewide effort to end the affordable housing crisis.

27 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
28 Washington affordable housing for all act.

1 (3) "Director" means the director of the department of community,
2 trade, and economic development.

3 (4) "First-time home buyer" means an individual or his or her
4 spouse who have not owned a home during the three-year period prior to
5 purchase of a home.

6 (5) "Nonprofit organization" means any public or private nonprofit
7 organization that: (a) Is organized under federal, state, or local
8 laws; (b) has no part of its net earnings inuring to the benefit of any
9 member, founder, contributor, or individual; and (c) has among its
10 purposes, significant activities related to the provision of decent
11 housing that is affordable to extremely low-income, very low-income,
12 low-income, or moderate-income households and special needs
13 populations.

14 (6) "Regulatory barriers to affordable housing" and "regulatory
15 barriers" mean any public policies, including those embodied in
16 statutes, ordinances, regulations, or administrative procedures or
17 processes, required to be identified by the state, cities, towns, or
18 counties in connection with strategies under section 105(b)(4) of the
19 Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701
20 et seq.).

21 (7) "Affordable housing for all account" means the account in the
22 custody of the state treasurer receiving the state's portion of income
23 from the revenue of sources established by RCW 36.22.178 (as recodified
24 by this act) and all other sources directed to the affordable housing
25 for all program.

26 (8) "Performance evaluation" means the process of evaluating the
27 performance by established objective, measurable criteria according to
28 the achievement of outlined goals, measures, targets, standards, or
29 other outcomes using a ranked scorecard from highest to lowest
30 performance which employs a scale of one to one hundred, one hundred
31 being the optimal score.

32 (9) "Affordable housing for all program" means the program
33 authorized under this chapter, utilizing the funding from the
34 affordable housing for all program surcharge in RCW 36.22.178 (as
35 recodified by this act), and all other sources directed to the
36 affordable housing for all program, as administered by the department
37 at the state level and by each county at the local level.

1 (10) "State affordable housing for all plan" or "state plan" means
2 the plan developed by the department in collaboration with the
3 affordable housing advisory board with the goal of ensuring that every
4 very low-income household in Washington has a decent, appropriate, and
5 affordable home in a healthy, safe environment by 2020.

6 (11) "Low-income household," for the purposes of the affordable
7 housing for all program, means a single person, family, or unrelated
8 persons living together whose adjusted income is less than eighty
9 percent of the median household income, adjusted for household size for
10 the county where the project is located.

11 (12) "Very low-income household" means a single person, family, or
12 unrelated persons living together whose adjusted income is less than
13 fifty percent of the median family income, adjusted for household size
14 for the county where the project is located.

15 (13) "Extremely low-income household" means a single person,
16 family, or unrelated persons living together whose adjusted income is
17 less than thirty percent of the median family income, adjusted for
18 household size for the county where the project is located.

19 (14) "County" means a county government in the state of Washington
20 or, except under RCW 36.22.178 (as recodified by this act), a city
21 government or collaborative of city governments within that county if
22 the county government declines to participate in the affordable housing
23 program.

24 (15) "Local government" means a county or city government in the
25 state of Washington or, except under RCW 36.22.178 (as recodified by
26 this act), a city government or collaborative of city governments
27 within that county if the county government declines to participate in
28 the affordable housing program.

29 (16) "Authority" or "housing authority" means any of the public
30 corporations created by RCW 35.82.030.

31 **Sec. 5.** RCW 43.185B.040 and 1993 c 478 s 12 are each amended to
32 read as follows:

33 (1) The department shall, in consultation with the affordable
34 housing advisory board created in RCW 43.185B.020, prepare and, from
35 time to time, amend a ~~((five-year))~~ state affordable housing
36 ~~((advisory))~~ for all plan. The state plan must incorporate strategies,
37 objectives, and goals, including those required for the state homeless

1 housing strategic plan required under RCW 43.185C.040. The state
2 affordable housing for all plan may be combined with the state homeless
3 housing strategic plan required under RCW 43.185C.040 or any other
4 existing state housing plan as long as the requirements of all of the
5 plans to be merged are met.

6 (2) The purpose of the state affordable housing for all plan is to:

7 (a) Document the need for affordable housing in the state and the
8 extent to which that need is being met through public and private
9 sector programs(~~(, -tø))~~;

10 (b) Evaluate and report upon all counties' use of the affordable
11 housing for all program surcharge funds provided for in RCW 36.22.178
12 (as recodified by this act) and all other sources directed to the
13 counties' affordable housing for all programs;

14 (c) Report upon housing trust fund awards within the previous five-
15 year period; and

16 (d) Facilitate state and county government planning to meet the
17 state affordable housing (~~(needs of the state, and to enable the~~
18 development of sound strategies and programs for affordable housing))
19 for all goal.

20 (3) The information in the (~~(five-year))~~ state affordable housing
21 (~~(advisory))~~ for all plan must include:

22 (a) An assessment of the state's housing market trends;

23 (b) An assessment of the housing needs for (~~(all))~~ economic
24 segments of the state by low-income, very low-income, and extremely
25 low-income households and special needs populations, including a report
26 on the number and percentage of additional affordable rental housing
27 units that are needed statewide and in each county to house low-income,
28 very low-income, and extremely low-income households;

29 (c) An inventory of the supply and geographic distribution of
30 affordable housing rental units made available through public and
31 private sector programs;

32 (d) A summary of the activities of all state housing programs, as
33 well as all housing programs operated by or coordinated by city and
34 county governments, including local housing-related levy initiatives,
35 housing-related tax exemption programs, and federally funded programs
36 operated or coordinated by the state or local governments;

37 (e) A status report on the degree of progress made by the public
38 and private sector toward meeting the housing needs of the state,

1 including each county or city required by the United States department
2 of housing and urban development to produce a consolidated plan, and
3 any other city or county where information is readily available;

4 ~~((e))~~ (f) An identification of state and local regulatory
5 barriers to affordable housing and proposed regulatory and
6 administrative techniques designed to remove barriers to the
7 development and placement of affordable housing; ~~(and~~

8 ~~(f))~~ (g) An analysis, statewide and within each county and major
9 city, of the primary contributors to the cost of housing and an outline
10 of potential strategies to keep the increasing cost of housing below
11 the relative rise in wages;

12 (h) Specific recommendations, policies, or proposals for meeting
13 the affordable housing needs of the state;

14 (i) A report on the growth in the population of low-income, very
15 low-income, and extremely low-income households statewide and for each
16 county;

17 (j) A determination of the cost to the state of the affordable
18 housing shortage;

19 (k) A report of any differences in the rates of inflation between
20 median house prices, median rent for a two-bedroom apartment, and
21 median family income for low-income, very low-income, and extremely
22 low-income households; and

23 (l) A summary of the recommendations of the affordable housing
24 advisory board report as required in RCW 43.185B.030.

25 ~~((2)(a))~~ (4) The ~~((five-year))~~ state affordable housing
26 ~~((advisory))~~ for all plan required under ~~((subsection (1) of))~~ this
27 section must be submitted to the appropriate committees of the
28 legislature on or before ~~((February 1, 1994))~~ December 31, 2010, and
29 subsequent updated plans must be submitted by December 31st every five
30 years thereafter.

31 ~~((b) Each February 1st, beginning February 1, 1995, the department~~
32 ~~shall submit an annual progress report, to the legislature, detailing~~
33 ~~the extent to which the state's affordable housing needs were met~~
34 ~~during the preceding year and recommendations for meeting those needs))~~

35 (5) Based on changes to the general population and in the housing
36 market, the department may revise the goals of the state affordable
37 housing for all plan and set goals for years following December 31,
38 2020.

1 **Sec. 6.** RCW 36.22.178 and 2005 c 484 s 18 are each amended to read
2 as follows:

3 The surcharge provided for in this section shall be named the
4 affordable housing for all program surcharge.

5 (1) Except as provided in subsection (~~((2))~~) (3) of this section,
6 a surcharge of ten dollars per instrument shall be charged by the
7 county auditor for each document recorded, which will be in addition to
8 any other charge authorized by law. The county may retain up to five
9 percent of these funds collected solely for the collection,
10 administration, and local distribution of these funds. Of the
11 remaining funds, forty percent of the revenue generated through this
12 surcharge will be transmitted monthly to the state treasurer who will
13 deposit the funds into the (~~(Washington housing trust account)~~)
14 affordable housing for all account created in section 7 of this act.
15 (~~(The office of community development of the department of community,~~
16 ~~trade, and economic development will develop guidelines for the use of~~
17 ~~these funds to support)~~) The department of community, trade, and
18 economic development must use these funds to provide housing and
19 shelter for extremely low-income households, including but not limited
20 to grants for building operation and maintenance costs of housing
21 projects or units within housing projects that are affordable to
22 extremely low-income (~~(persons)~~) households with incomes at or below
23 thirty percent of the area median income, and that require a supplement
24 to rent income to cover ongoing operating expenses.

25 (2) All of the remaining funds generated by this surcharge will be
26 retained by the county and be deposited into a fund that must be used
27 by the county and its cities and towns for eligible housing (~~(projects~~
28 ~~or units within housing projects that are affordable to)~~) activities as
29 described in this subsection that serve very low-income (~~(persons)~~)
30 households with incomes at or below fifty percent of the area median
31 income. The portion of the surcharge retained by a county shall be
32 allocated to eligible housing activities that serve extremely low and
33 very low-income (~~(housing projects or units within such housing~~
34 ~~projects)~~) households in the county and the cities within a county
35 according to an interlocal agreement between the county and the cities
36 within the county consistent with countywide and local housing needs
37 and policies. (~~(The funds generated with this surcharge shall not be~~
38 ~~used for construction of new housing if at any time the vacancy rate~~

1 ~~for available low income housing within the county rises above ten~~
2 ~~percent. The vacancy rate for each county shall be developed using the~~
3 ~~state low income vacancy rate standard developed under subsection (3)~~
4 ~~of this section. Uses of))~~ A priority must be given to eligible
5 housing activities that serve extremely low-income households with
6 incomes at or below thirty percent of the area median income. Eligible
7 housing activities to be funded by these ((local)) county funds are
8 limited to:

9 (a) Acquisition, construction, or rehabilitation of housing
10 projects or units within housing projects that are affordable to very
11 low-income ((persons)) households with incomes at or below fifty
12 percent of the area median income, including units for homeownership,
13 rental units, seasonal and permanent farm worker housing units, and
14 single room occupancy units;

15 (b) Supporting building operation and maintenance costs of housing
16 projects or units within housing projects eligible to receive housing
17 trust funds, that are affordable to very low-income ((persons))
18 households with incomes at or below fifty percent of the area median
19 income, and that require a supplement to rent income to cover ongoing
20 operating expenses;

21 (c) Rental assistance vouchers for housing ((projects or)) units
22 ((within housing projects)) that are affordable to very low-income
23 ((persons)) households with incomes at or below fifty percent of the
24 area median income, to be administered by a local public housing
25 authority or other local organization that has an existing rental
26 assistance voucher program, consistent with or similar to the United
27 States department of housing and urban development's section 8 rental
28 assistance voucher program standards; and

29 (d) Operating costs for emergency shelters and licensed overnight
30 youth shelters.

31 ((+2)) (3) The surcharge imposed in this section does not apply to
32 assignments or substitutions of previously recorded deeds of trust.

33 ((-3) The real estate research center at Washington State
34 University shall develop a vacancy rate standard for low income housing
35 in the state as described in RCW 18.85.540(1)(i))

36 (4) All counties shall report at least annually upon receipts and
37 expenditures of the affordable housing for all program surcharge funds
38 created in this section to the department. The department may require

1 more frequent reports. The report must include the amount of funding
2 generated by the surcharge, the total amount of funding distributed to
3 date, the amount of funding allocated to each eligible housing
4 activity, a description of each eligible housing activity funded,
5 including information on the income or wage level and numbers of
6 extremely low, very low, and low-income households the eligible housing
7 activity is intended to serve, and the outcome or anticipated outcome
8 of each eligible housing activity.

9 NEW SECTION. Sec. 7. The affordable housing for all account is
10 created in the state treasury, subject to appropriation. The state's
11 portion of the surcharges established in RCW 36.22.178 (as recodified
12 by this act) shall be deposited in the account, as well as all other
13 sources directed to the affordable housing for all program.
14 Expenditures from the account may only be used for affordable housing
15 programs.

16 NEW SECTION. Sec. 8. This chapter does not require either the
17 department or any local government to expend any funds to accomplish
18 the goals of this chapter other than the revenues authorized in this
19 act and other revenue that may be appropriated by the legislature for
20 these purposes. However, neither the department nor any local
21 government may use any funds authorized in this act to supplant or
22 reduce any existing expenditures of public money to address the
23 affordable housing shortage.

24 NEW SECTION. Sec. 9. (1) The department, the Washington state
25 housing finance commission, the affordable housing advisory board, and
26 all county governments, housing authorities, and other nonprofit
27 organizations receiving state funds, county affordable housing for all
28 surcharge funds, county homeless housing surcharge funds as authorized
29 in RCW 36.22.179 (as recodified by this act), or financing through the
30 housing finance commission shall, by December 31, 2007, and annually
31 thereafter, review current housing reporting requirements related to
32 housing programs and services and give recommendations to the
33 legislature to streamline and simplify all planning and reporting
34 requirements. The entities listed in this section shall also give

1 recommendations for additional legislative actions that could promote
2 the affordable housing for all goal.

3 (2) The department shall collaborate with the Washington state
4 housing finance commission and representatives from statewide
5 organizations representing counties, cities, housing authorities,
6 nonprofit groups involved in affordable housing, and other interested
7 parties, to create a strategy to streamline and, when possible,
8 consolidate state, city, town, and county reporting requirements to
9 address the inefficiencies associated with multiple reporting
10 requirements. The department shall present the strategy to the
11 appropriate committees of the legislature by December 31, 2007.

12 **Sec. 10.** RCW 43.63A.650 and 1999 c 267 s 3 are each amended to
13 read as follows:

14 (1) The department shall be the principal state department
15 responsible for coordinating federal and state resources and activities
16 in housing, except for programs administered by the Washington state
17 housing finance commission under chapter 43.180 RCW, and for evaluating
18 the operations and accomplishments of other state departments and
19 agencies as they affect housing, except for programs administered by
20 the Washington state housing finance commission under chapter 43.180
21 RCW.

22 (2) The department shall work with (~~local governments~~) cities,
23 towns, counties, tribal organizations, local housing authorities,
24 nonprofit community or neighborhood-based organizations, and regional
25 or statewide nonprofit housing assistance organizations, for the
26 purpose of coordinating federal and state resources with local
27 resources for housing.

28 (3) The department shall be the principal state department
29 responsible for providing shelter and housing services to homeless
30 families with children. The department shall have the principal
31 responsibility to coordinate, plan, and oversee the state's activities
32 for developing a coordinated and comprehensive plan to serve homeless
33 families with children. The plan shall be developed collaboratively
34 with the department of social and health services. The department
35 shall include community organizations involved in the delivery of
36 services to homeless families with children, and experts in the
37 development and ongoing evaluation of the plan. The department shall

1 follow professionally recognized standards and procedures. The plan
2 shall be implemented within amounts appropriated by the legislature for
3 that specific purpose in the operating and capital budgets. The
4 department shall submit the plan to the appropriate committees of the
5 senate and house of representatives no later than September 1, 1999,
6 and shall update the plan and submit it to the appropriate committees
7 of the legislature by January 1st of every odd-numbered year through
8 2007. The plan shall address at least the following: (a) The need for
9 prevention assistance; (b) the need for emergency shelter; (c) the need
10 for transitional assistance to aid families into permanent housing; (d)
11 the need for linking services with shelter or housing; and (e) the need
12 for ongoing monitoring of the efficiency and effectiveness of the
13 plan's design and implementation.

14 **Sec. 11.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
15 read as follows:

16 Despite laudable efforts by all levels of government, private
17 individuals, nonprofit organizations, and charitable foundations to end
18 homelessness, the number of homeless persons in Washington is
19 unacceptably high. The state's homeless population, furthermore,
20 includes a large number of families with children, youth, and employed
21 persons. The legislature finds that the fiscal and societal costs of
22 homelessness are high for both the public and private sectors, and that
23 ending homelessness (~~(should)~~) must be a goal for state and local
24 government.

25 The legislature finds that there are many causes of homelessness,
26 including a shortage of affordable housing; a shortage of family-wage
27 jobs which undermines housing affordability; a lack of an accessible
28 and affordable health care system available to all who suffer from
29 physical and mental illnesses and chemical and alcohol dependency;
30 domestic violence; (~~and~~) a lack of education and job skills necessary
31 to acquire adequate wage jobs in the economy of the twenty-first
32 century; inadequate availability of services for citizens with mental
33 illness and developmental disabilities living in the community; and the
34 difficulties faced by formerly institutionalized persons in
35 reintegrating to society and finding stable employment and housing.

36 The support and commitment of all sectors of the statewide
37 community is critical to the chances of success in ending homelessness

1 in Washington. While the provision of housing and housing-related
2 services to the homeless should be administered at the local level to
3 best address specific community needs, the legislature also recognizes
4 the need for the state to play a primary coordinating, supporting,
5 ~~((and))~~ monitoring, and evaluating role. There must be a clear
6 assignment of responsibilities and a clear statement of achievable and
7 quantifiable goals. Systematic statewide data collection on
8 ~~((homelessness))~~ homeless individuals in Washington must be a critical
9 component of such a program enabling the state to work with local
10 governments not only to count all homeless people in the state, but to
11 record and manage information about homeless persons ((and)) in order
12 to assist them in finding housing and other supportive services.

13 The systematic collection and rigorous evaluation of homeless data,
14 a nationwide search for and implementation through adequate resource
15 allocation of best practices, and the systematic measurement of
16 progress toward interim goals and the ultimate goal of ending
17 homelessness are all necessary components of a statewide effort to end
18 homelessness in Washington by July 1, 2015.

19 **Sec. 12.** RCW 43.185C.040 and 2005 c 484 s 7 are each amended to
20 read as follows:

21 (1) ~~((Six months after the first Washington homeless census,))~~ The
22 department shall, in consultation with the interagency council on
23 homelessness, the state advisory council on homelessness, and the
24 affordable housing advisory board, prepare and ((publish a ten-year
25 homeless housing)) annually update a state homeless housing strategic
26 plan which ((shall)) must outline statewide goals and performance
27 measures ((and shall be coordinated with the plan for homeless families
28 with children required under RCW 43.63A.650. To guide local
29 governments in preparation of their first local homeless housing plans
30 due December 31, 2005, the department shall issue by October 15, 2005,
31 temporary guidelines consistent with this chapter and including the
32 best available data on each community's homeless population)). Local
33 governments' ((ten-year homeless housing)) homeless housing plans
34 ((shall not)) must include all of the performance measures included in
35 the state homeless housing strategic plan and must be substantially
36 ((inconsistent)) consistent with the goals and program recommendations

1 of ~~((the temporary guidelines and, when amended after 2005,))~~ the state
2 homeless housing strategic plan.

3 (2) Program outcomes and performance measures and goals ~~((shall))~~
4 must be created by the department and reflected in the department's
5 ~~((homeless housing))~~ state homeless housing strategic plan ~~((as well~~
6 ~~as))~~ and all local homeless housing plans.

7 (3) Interim goals against which state and local governments'
8 performance may be measured must also be described and reported upon in
9 the state homeless housing strategic plan, including:

10 (a) ~~((By the end of year one, completion of the first census as~~
11 ~~described in RCW 43.185C.030;~~

12 ~~(b))~~ By the end of each subsequent year, goals common to all state
13 and local programs which are measurable and the achievement of which
14 would move that community toward housing its homeless population; and

15 ~~((c))~~ (b) By July 1, 2015, reduction of the homeless population
16 statewide and in each county by fifty percent.

17 ~~((3))~~ (4) The department shall develop a consistent statewide
18 data gathering instrument to monitor the performance of cities and
19 counties receiving homeless housing grants in order to determine
20 compliance with the terms and conditions set forth in the homeless
21 housing grant application or required by the department.

22 (5) The department shall, in consultation with the interagency
23 council on homelessness, the state advisory council on homelessness,
24 and the affordable housing advisory board, report annually to the
25 governor and the appropriate committees of the legislature ~~((an~~
26 ~~assessment of))~~ the fiscal and societal costs of the homeless crisis,
27 including identifying, to the extent practical, savings in state and
28 local program costs that could be obtained through the achievement of
29 stable housing for the clients served by those programs.

30 (6) The department shall also deliver a summary annual report,
31 including information about:

32 (a) All state programs addressing homeless housing and services;

33 (b) The state's performance in furthering the goals of the state
34 ~~((ten-year))~~ homeless housing strategic plan; and

35 (c) The performance of each participating local government in
36 creating and executing a local homeless housing plan ~~((which))~~ that
37 meets the requirements of this chapter. ~~((The annual report may~~
38 ~~include performance measures such as:~~

1 ~~(a) The reduction in the number of homeless individuals and~~
2 ~~families from the initial count of homeless persons;~~

3 ~~(b) The number of new units available and affordable for homeless~~
4 ~~families by housing type;~~

5 ~~(c) The number of homeless individuals identified who are not~~
6 ~~offered suitable housing within thirty days of their request or~~
7 ~~identification as homeless;~~

8 ~~(d) The number of households at risk of losing housing who maintain~~
9 ~~it due to a preventive intervention;~~

10 ~~(e) The transition time from homelessness to permanent housing;~~

11 ~~(f) The cost per person housed at each level of the housing~~
12 ~~continuum;~~

13 ~~(g) The ability to successfully collect data and report~~
14 ~~performance;~~

15 ~~(h) The extent of collaboration and coordination among public~~
16 ~~bodies, as well as community stakeholders, and the level of community~~
17 ~~support and participation;~~

18 ~~(i) The quality and safety of housing provided; and~~

19 ~~(j) The effectiveness of outreach to homeless persons, and their~~
20 ~~satisfaction with the program.~~

21 ~~(4))~~ (7) The state homeless housing plan must also include a
22 response to each recommendation included in the local homeless housing
23 plans for policy changes to assist in ending homelessness and a summary
24 of the recommendations to the legislature to streamline and simplify
25 all housing planning and reporting requirements, as required in section
26 9 of this act.

27 (8) Based on the performance of local homeless housing programs in
28 meeting their interim goals, on general population changes and on
29 changes in the homeless population recorded in the ~~((annual))~~ census,
30 the department may revise the performance measures and goals of the
31 state homeless housing strategic plans, set goals for years following
32 the initial ten-year period, and recommend changes in local
33 governments' homeless housing plans.

34 **Sec. 13.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
35 read as follows:

36 (1)(a)(i) Each local homeless housing task force shall prepare and
37 recommend to its local government legislative authority a ~~((ten-year))~~

1 local homeless housing plan for its jurisdictional area (~~((which shall~~
2 ~~be not inconsistent))~~) that is consistent with the department's
3 (~~((statewide temporary guidelines, for the December 31, 2005, plan, and~~
4 ~~thereafter the department's ten-year homeless housing))~~) state homeless
5 housing strategic plan and (~~((which shall be))~~) is aimed at eliminating
6 homelessness, with a minimum goal of reducing homelessness by fifty
7 percent by July 1, 2015. (~~((The local government may amend the proposed~~
8 ~~local plan and shall adopt a plan by December 31, 2005. Performance in~~
9 ~~meeting the goals of this local plan shall be assessed annually in~~
10 ~~terms of the performance measures published by the department.))~~)

11 (ii) Local plans must include specific strategic objectives,
12 consistent with the state plan, and must include corresponding action
13 plans. Local plans must address identified strategies to meet the
14 needs of all homeless populations, including chronic homeless, short-
15 term homeless, families, individuals, and youth. Each local plan must
16 include the total estimated cost of accomplishing the goals of the plan
17 to reduce homelessness by fifty percent by July 1, 2015, and must
18 include an accounting of total committed funds for this purpose.

19 (b)(i) The department must conduct an annual performance evaluation
20 of each local plan by December 31st of each year beginning in 2007.
21 The department must also conduct an annual performance evaluation of
22 each local government's performance related to its local plan by
23 December 31st of each year beginning in 2007.

24 (ii) Local plans may include specific local performance measures
25 adopted by the local government legislative authority((~~τ~~)) and ((~~may~~))
26 must include recommendations for (~~((any))~~) state legislation needed to
27 meet the state or local plan goals. The recommendations must be
28 specific and must, if funding is required, include an estimated amount
29 of funding required and suggestions for an appropriate funding source.

30 (2) Eligible activities under the local plans include:

31 (a) Rental and furnishing of dwelling units for the use of homeless
32 persons;

33 (b) Costs of developing affordable housing for homeless persons,
34 and services for formerly homeless individuals and families residing in
35 transitional housing or permanent housing and still at risk of
36 homelessness;

37 (c) Operating subsidies for transitional housing or permanent
38 housing serving formerly homeless families or individuals;

1 (d) Services to prevent homelessness, such as emergency eviction
2 prevention programs, including temporary rental subsidies to prevent
3 homelessness;

4 (e) Temporary services to assist persons leaving state institutions
5 and other state programs to prevent them from becoming or remaining
6 homeless;

7 (f) Outreach services for homeless individuals and families;

8 (g) Development and management of local homeless housing plans,
9 including homeless census data collection(+) and information,
10 identification of goals, performance measures, strategies, and costs,
11 and evaluation of progress towards established goals;

12 (h) Rental vouchers payable to landlords for persons who are
13 homeless or below thirty percent of the median income or in immediate
14 danger of becoming homeless; and

15 (i) Other activities to reduce and prevent homelessness as
16 identified for funding in the local plan.

17 **Sec. 14.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
18 read as follows:

19 ~~(1) ((Only a local government is eligible to receive a homeless
20 housing grant from the homeless housing account. Any city may assert
21 responsibility for homeless housing within its borders if it so
22 chooses, by forwarding a resolution to the legislative authority of the
23 county stating its intention and its commitment to operate a separate
24 homeless housing program. The city shall then receive a percentage of
25 the surcharge assessed under RCW 36.22.179 equal to the percentage of
26 the city's local portion of the real estate excise tax collected by the
27 county. A participating city may also then apply separately for
28 homeless housing program grants. A city choosing to operate a separate
29 homeless housing program shall be responsible for complying with all of
30 the same requirements as counties and shall adopt a local homeless
31 housing plan meeting the requirements of this chapter for county local
32 plans. However, the city may by resolution of its legislative
33 authority accept the county's homeless housing task force as its own
34 and based on that task force's recommendations adopt a homeless housing
35 plan specific to the city.~~

36 ~~(2))~~ Local governments ~~((applying for homeless housing funds))~~ may
37 subcontract with any other local government, housing authority,

1 community action agency, or other nonprofit organization for the
2 execution of programs contributing to the overall goal of ending
3 homelessness within a defined service area. All subcontracts (~~shall~~)
4 must be consistent with the local homeless housing plan adopted by the
5 legislative authority of the local government, time limited, and filed
6 with the department, and (~~shall~~) must have specific performance
7 terms. While a local government has the authority to subcontract with
8 other entities, the local government continues to maintain the ultimate
9 responsibility for the homeless housing program within its (~~borders~~)
10 jurisdiction.

11 ~~((3))~~ (2) A county may decline to participate in the homeless
12 housing program authorized in this chapter by forwarding to the
13 department a resolution adopted by the county legislative authority
14 stating the intention not to participate. A copy of the resolution
15 (~~shall~~) must also be transmitted to the county auditor and treasurer.
16 If (~~such a~~) the resolution is adopted, all of the funds otherwise due
17 to the county under RCW (~~43.185C.060 shall~~) 36.22.179 (as recodified
18 by this act) and section 17 of this act, minus funds due to any city
19 that has chosen to participate through the process established in
20 subsection (3) of this section, must be remitted monthly to the state
21 treasurer for deposit in the (~~homeless housing~~) home security fund
22 account, without any reduction by the county for collecting or
23 administering the funds. Upon receipt of the resolution, the
24 department shall promptly begin to identify and contract with one or
25 more entities eligible under this section to create and execute a local
26 homeless housing plan for the county meeting the requirements of this
27 chapter. The department shall expend all of the funds received from
28 the county under this subsection to carry out the purposes of this
29 chapter (~~484, Laws of 2005~~) in the county, (~~provided that~~) but the
30 department may retain six percent of these funds to offset the cost of
31 managing the county's program.

32 (3) Any city may assert responsibility for homeless housing within
33 its borders, by forwarding a resolution to the legislative authority of
34 the county stating its intention and its commitment to operate a
35 separate homeless housing program. A city choosing to operate a
36 separate homeless housing program receives a percentage of the
37 surcharge assessed under RCW 36.22.179 (as recodified by this act) and
38 under section 17 of this act equal to the percentage of the city's

1 local portion of the real estate excise tax collected by the county.
2 A participating city may also then apply separately for homeless
3 housing grants. A city choosing to operate a separate homeless housing
4 program must comply with all of the same requirements as counties and
5 shall adopt a local homeless housing plan meeting the requirements of
6 this chapter for local homeless housing plans.

7 (4) A resolution by the county declining to participate in the
8 program ~~((shall have))~~ has no effect on the ~~((ability))~~ authority of
9 each city in the county to assert its right to manage its own program
10 under this chapter, and the county shall monthly transmit to ~~((the))~~
11 any such city the funds due under ~~((this chapter))~~ RCW 36.22.179 (as
12 recodified by this act) and section 17 of this act.

13 **Sec. 15.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
14 read as follows:

15 (1) Each county shall create a homeless housing task force to
16 develop a ~~((ten-year))~~ homeless housing plan addressing short-term and
17 long-term services and housing ~~((for homeless persons))~~ to prevent and
18 reduce homelessness by fifty percent by 2015.

19 Membership on the task force may include representatives of the
20 counties, cities, towns, housing authorities, civic and faith
21 organizations, schools, community networks, human services providers,
22 law enforcement personnel, criminal justice personnel, including
23 prosecutors, probation officers, and jail administrators, substance
24 abuse treatment providers, mental health care providers, emergency
25 health care providers, businesses, at-large representatives of the
26 community, and a homeless or formerly homeless individual.

27 In lieu of creating a new task force, a local government may
28 designate an existing governmental or nonprofit body ~~((which))~~ that
29 substantially conforms to this section and ~~((which))~~ includes at least
30 one homeless or formerly homeless individual to serve as its homeless
31 representative. As an alternative to a separate plan, two or more
32 local governments may work in concert to develop and execute a joint
33 homeless housing plan, or to contract with another entity to do so
34 according to the requirements of this chapter. While a local
35 government has the authority to subcontract with other entities, the
36 local government continues to maintain the ultimate responsibility for
37 the homeless housing program within its borders.

1 (~~A county may decline to participate in the program authorized in~~
2 ~~this chapter by forwarding to the department a resolution adopted by~~
3 ~~the county legislative authority stating the intention not to~~
4 ~~participate. A copy of the resolution shall also be transmitted to the~~
5 ~~county auditor and treasurer. If a county declines to participate, the~~
6 ~~department shall create and execute a local homeless housing plan for~~
7 ~~the county meeting the requirements of this chapter.~~)

8 (2) In addition to developing a (~~ten-year~~) homeless housing plan,
9 each task force shall establish guidelines consistent with the
10 (~~statewide~~) state homeless housing strategic plan, as needed, for the
11 following:

- 12 (a) Emergency shelters;
- 13 (b) Short-term housing needs;
- 14 (c) Temporary encampments;
- 15 (d) Rental voucher programs;
- 16 (e) Supportive housing for chronically homeless persons; (~~and~~
17 ~~(e)~~) (f) Long-term housing; and
- 18 (g) Prevention services.

19 Guidelines must include, when appropriate, standards for health and
20 safety and notifying the public of proposed facilities to house the
21 homeless.

22 (3) Each county(~~, including counties exempted from creating a new~~
23 ~~task force under subsection (1) of this section,~~) shall report to the
24 department of community, trade, and economic development (~~such~~) any
25 information (~~as may be~~) needed to ensure compliance with this
26 chapter.

27 **Sec. 16.** RCW 36.22.179 and 2005 c 484 s 9 are each amended to read
28 as follows:

29 (1) In addition to the surcharge authorized in RCW 36.22.178 (as
30 recodified by this act), and except as provided in subsection (2) of
31 this section, an additional surcharge of ten dollars shall be charged
32 by the county auditor for each document recorded, which will be in
33 addition to any other charge allowed by law. The funds collected
34 pursuant to this section are to be distributed and used as follows:

35 (a) The auditor shall retain two percent for collection of the fee,
36 and of the remainder shall remit sixty percent to the county to be
37 deposited into a fund that must be used by the county and its cities

1 and towns to accomplish the purposes of this chapter (~~(484, Laws of~~
2 ~~2005)~~), six percent of which may be used by the county for
3 administrative costs related to its homeless housing plan, and the
4 remainder for programs which directly accomplish the goals of the
5 county's local homeless housing plan, except that for each city in the
6 county which elects as authorized in RCW 43.185C.080 to operate its own
7 local homeless housing program, a percentage of the surcharge assessed
8 under this section equal to the percentage of the city's local portion
9 of the real estate excise tax collected by the county shall be
10 transmitted at least quarterly to the city treasurer, without any
11 deduction for county administrative costs, for use by the city for
12 program costs which directly contribute to the goals of the city's
13 local homeless housing plan; of the funds received by the city, it may
14 use six percent for administrative costs for its homeless housing
15 program.

16 (b) The auditor shall remit the remaining funds to the state
17 treasurer for deposit in the (~~(homeless housing)~~) home security fund
18 account. The department may use twelve and one-half percent of this
19 amount for administration of the program established in RCW
20 43.185C.020, including the costs of creating the statewide homeless
21 housing strategic plan, measuring performance, providing technical
22 assistance to local governments, and managing the homeless housing
23 grant program. The remaining eighty-seven and one-half percent is to
24 be (~~(distributed by the department to local governments through the~~
25 ~~homeless housing grant program)~~) used by the department to:

26 (i) Provide housing and shelter for homeless people including, but
27 not limited to: Grants to operate, repair, and staff shelters; grants
28 to operate transitional housing; partial payments for rental
29 assistance; consolidated emergency assistance; overnight youth
30 shelters; and emergency shelter assistance; and

31 (ii) Fund the homeless housing grant program.

32 (2) The surcharge imposed in this section does not apply to
33 assignments or substitutions of previously recorded deeds of trust.

34 NEW SECTION. Sec. 17. A new section is added to chapter 43.185C
35 RCW to read as follows:

36 (1) In addition to the surcharges authorized in RCW 36.22.178 and
37 36.22.179 (as recodified by this act), and except as provided in

1 subsection (2) of this section, the county auditor shall charge an
2 additional surcharge of two dollars for each document recorded, which
3 is in addition to any other charge allowed by law. The funds collected
4 under this section are to be distributed and used as follows:

5 (a) The auditor shall remit ninety percent to the county to be
6 deposited into a fund six percent of which may be used by the county
7 for administrative costs related to its homeless housing plan, and the
8 remainder for programs that directly accomplish the goals of the
9 county's local homeless housing plan, except that for each city in the
10 county that elects, as authorized in RCW 43.185C.080(3), to operate its
11 own homeless housing program, a percentage of the surcharge assessed
12 under this section equal to the percentage of the city's local portion
13 of the real estate excise tax collected by the county must be
14 transmitted at least quarterly to the city treasurer for use by the
15 city for program costs that directly contribute to the goals of the
16 city's homeless housing plan.

17 (b) The auditor shall remit the remaining funds to the state
18 treasurer for deposit in the home security fund account. The
19 department may use the funds for administering the program established
20 in RCW 43.185C.020, including the costs of creating and updating the
21 statewide homeless housing strategic plan, implementing and managing
22 the Washington homeless client management information system
23 established in RCW 43.185C.180, measuring performance, providing
24 technical assistance to local governments, and managing the homeless
25 housing grant program. Remaining funds may also be used to:

26 (i) Provide housing and shelter for homeless people including, but
27 not limited to: Grants to operate, repair, and staff shelters; grants
28 to operate transitional housing; partial payments for rental
29 assistance; consolidated emergency assistance; overnight youth
30 shelters; and emergency shelter assistance; and

31 (ii) Fund the homeless housing grant program.

32 (2) The surcharge imposed in this section does not apply to
33 assignments or substitutions of previously recorded deeds of trust.

34 **Sec. 18.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
35 each reenacted and amended to read as follows:

36 County auditors or recording officers shall collect the following
37 fees for their official services:

1 (1) For recording instruments, for the first page eight and one-
2 half by fourteen inches or less, five dollars; for each additional page
3 eight and one-half by fourteen inches or less, one dollar. The fee for
4 recording multiple transactions contained in one instrument will be
5 calculated for each transaction requiring separate indexing as required
6 under RCW 65.04.050 as follows: The fee for each title or transaction
7 is the same fee as the first page of any additional recorded document;
8 the fee for additional pages is the same fee as for any additional
9 pages for any recorded document; the fee for the additional pages may
10 be collected only once and may not be collected for each title or
11 transaction;

12 (2) For preparing and certifying copies, for the first page eight
13 and one-half by fourteen inches or less, three dollars; for each
14 additional page eight and one-half by fourteen inches or less, one
15 dollar;

16 (3) For preparing noncertified copies, for each page eight and one-
17 half by fourteen inches or less, one dollar;

18 (4) For administering an oath or taking an affidavit, with or
19 without seal, two dollars;

20 (5) For issuing a marriage license, eight dollars, (this fee
21 includes taking necessary affidavits, filing returns, indexing, and
22 transmittal of a record of the marriage to the state registrar of vital
23 statistics) plus an additional five-dollar fee for use and support of
24 the prevention of child abuse and neglect activities to be transmitted
25 monthly to the state treasurer and deposited in the state general fund
26 plus an additional ten-dollar fee to be transmitted monthly to the
27 state treasurer and deposited in the state general fund. The
28 legislature intends to appropriate an amount at least equal to the
29 revenue generated by this fee for the purposes of the displaced
30 homemaker act, chapter 28B.04 RCW;

31 (6) For searching records per hour, eight dollars;

32 (7) For recording plats, fifty cents for each lot except cemetery
33 plats for which the charge shall be twenty-five cents per lot; also one
34 dollar for each acknowledgment, dedication, and description: PROVIDED,
35 That there shall be a minimum fee of twenty-five dollars per plat;

36 (8) For recording of miscellaneous records not listed above, for
37 the first page eight and one-half by fourteen inches or less, five

1 dollars; for each additional page eight and one-half by fourteen inches
2 or less, one dollar;

3 (9) For modernization and improvement of the recording and indexing
4 system, a surcharge as provided in RCW 36.22.170;

5 (10) For recording an emergency nonstandard document as provided in
6 RCW 65.04.047, fifty dollars, in addition to all other applicable
7 recording fees;

8 (11) For recording instruments, a surcharge as provided in RCW
9 36.22.178 (as recodified by this act); (~~and~~

10 ~~{(12)}~~) (12) For recording instruments, except for documents
11 recording a birth, marriage, divorce, or death or any documents
12 otherwise exempted from a recording fee under state law, a surcharge as
13 provided in RCW 36.22.179 (as recodified by this act); and

14 (13) For recording instruments, except for documents recorded by
15 the department of revenue, the department of labor and industries, and
16 the employment security department and for documents recording a birth,
17 marriage, divorce, or death or any documents otherwise exempted from a
18 recording fee under state law, a surcharge as provided in section 17 of
19 this act.

20 **Sec. 19.** RCW 43.185C.150 and 2005 c 484 s 21 are each amended to
21 read as follows:

22 This chapter does not require either the department or any local
23 government to expend any funds to accomplish the goals of this chapter
24 other than the revenues authorized in (~~chapter 484, Laws of 2005~~) RCW
25 36.22.179 (as recodified by this act) and the revenues authorized in
26 section 17 of this act. However, neither the department nor any local
27 government may use any funds authorized in (~~chapter 484, Laws of~~
28 ~~2005~~) RCW 36.22.179 (as recodified by this act) or the revenues
29 authorized in section 17 of this act to supplant or reduce any existing
30 expenditures of public money for the reduction or prevention of
31 homelessness or services for homeless persons. Any costs associated
32 with any new planning, evaluating, and reporting requirements of the
33 department for the homeless housing and assistance program included in
34 this chapter shall not be funded by the document recording fee
35 surcharges authorized by RCW 36.22.178 and 36.22.179 (as recodified by
36 this act).

1 43.63A.650, 43.185C.005, 43.185C.040, 43.185C.050, 43.185C.080,
2 43.185C.160, 36.22.179, 43.185C.150, and 43.185C.060; reenacting and
3 amending RCW 36.18.010; adding new sections to chapter 43.185C RCW;
4 adding a new chapter to Title 43 RCW; creating a new section; and
5 recodifying RCW 36.22.179, 43.20A.790, 36.22.178, 43.63A.650, and
6 43.185B.040."

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